

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6889 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgement?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

ANJUBEN NARANBHAI PARMAR

Versus

STATE OF GUJARAT

Appearance:

MR JAYANT PATEL for Petitioners
MR AJ DESAI, ld.AGP for respondent no.1.
MR HS MUNSHAW for Respondents Nos. 2, 3 & 4

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 10/07/2000

ORAL JUDGEMENT

Rule. Mr.A.J.Desai waives the service of Rule on
behalf of respondent no.1. Mr.Munshaw waives the service
of Rule on behalf of respondents nos.2, 3 and 4.

2. At the request of the parties, the matter is taken up for final disposal right today. The petitioners herein who were working as Sarpanch and Members of the Panchayat were removed by the Dist. Development Officer. Against such order, appeal was preferred before the Addl. Development Commissioner. The Addl. Development Commissioner entertained the appeal, but did not grant interim order. The petitioners, therefore, filed the present petition against the denial of the interim order by the Addl. Development Commissioner.

3. This Court on 9th September 1999 while making the notice returnable ordered that the parties shall maintain status quo as regards the implementation of the order dated 30th August 1999 at Annexure.H and the order dated 2nd September 1999 at Annexure.A. The said interim order has continued uptil now and the appeal is pending before the Addl.Dev. Commissioner.

4. In the facts and circumstances of this case, with the consensus of the parties it is directed that the Addl. Development Commissioner shall decide the pending appeal of the petitioners within a period of two weeks from the date the certified copy of this order is served upon him and till then, the interim relief granted by this Court on 9th September 1999 shall remain operative in favour of the petitioners. In case the result of the appeal goes against the petitioners, the order passed in the appeal shall come into force after a week's time from the date it is served upon the petitioners. Ordered accordingly. This Special Civil Application is partly allowed to the extent as above and the Rule is made absolute accordingly. No order as to costs.

(M.R. Calla, J.)
Sreeram.